

By: Smith of Harris

H.B. No. 899

A BILL TO BE ENTITLED

AN ACT

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relating to the operation and functions of the Texas Board of Professional Engineers and the regulation of the practice of engineering.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 1001.107, Occupations Code, is amended to read as follows:

Sec. 1001.107. PER DIEM[~~, REIMBURSEMENT~~]. [~~(a)~~] A board member is entitled to receive a per diem as set by the General Appropriations Act for each day that the member engages in the business of the board.

~~[(b) A board member may not receive reimbursement for travel expenses, including expenses for meals and lodging, other than transportation expenses. A member is entitled to reimbursement for transportation expenses as provided by the General Appropriations Act.]~~

SECTION 2. Section 1001.108, Occupations Code, is amended to read as follows:

Sec. 1001.108. OFFICERS. The governor shall designate a member of the board as the presiding officer of the board to serve in that capacity at the will of the governor. The board shall elect annually from its members an assistant presiding officer, a treasurer, and a secretary.

SECTION 3. Section 1001.109, Occupations Code, is amended

1 to read as follows:

2           Sec. 1001.109. BOARD TREASURER'S [~~SECRETARY'S~~] DUTIES AND  
3 SALARY. (a) [~~(b)~~] The treasurer [~~secretary~~] shall receive and  
4 account for all money received under this chapter.

5           (b) [~~(c)~~] The treasurer [~~secretary~~] is entitled to a salary  
6 as determined by the board in addition to compensation and expenses  
7 provided for in this subchapter. The salary may not exceed the  
8 salary paid for similar work in other departments.

9           SECTION 4. Section 1001.206(c), Occupations Code, is  
10 amended to read as follows:

11           (c) The fee increase imposed by Subsection (a) does not  
12 apply to an engineer who:

13                 (1) meets the qualifications for an exemption under  
14 Section 1001.057 or 1001.058 but does not claim that exemption;

15                 (2) is disabled as described by Section 1001.205; [~~or~~]

16                 (3) is on inactive status as provided by Section  
17 1001.355; or

18                 (4) is 65 years of age or older.

19           SECTION 5. Section 1001.306, Occupations Code, is amended  
20 by adding Subsection (d) to read as follows:

21           (d) Examination results reported under this section must  
22 include a numerical score and an indication of whether the person  
23 passed or failed the examination.

24           SECTION 6. Section 1001.401, Occupations Code, is amended  
25 by adding Subsection (d) to read as follows:

26           (d) A license holder is not required to use a seal under this  
27 section for a project for which the license holder is not required

1 to hold a license under an exemption provided by Subchapter B.

2 SECTION 7. Section 1001.4527(a), Occupations Code, is  
3 amended to read as follows:

4 (a) A board member who participated in the investigation of  
5 a complaint or in informal settlement negotiations regarding the  
6 complaint:

7 (1) may not [~~participate in the discussion of or~~] vote  
8 on the matter at a board meeting related to the complaint; and

9 (2) shall state at the meeting why the member is  
10 prohibited from [~~participating in the discussion of or~~] voting on  
11 the matter.

12 SECTION 8. The change in law made by this Act to Section  
13 1001.206(c), Occupations Code, applies only to an application for a  
14 license, the renewal of a license, or a reciprocal license filed on  
15 or after the effective date of this Act. An application filed before  
16 the effective date of this Act is governed by the law in effect on  
17 the date the application is filed, and the former law is continued  
18 in effect for that purpose.

19 SECTION 9. This Act takes effect September 1, 2007.